

GARY D. JOSEPHSON #5299
Assistant Attorney General
SEAN D. REYES #7969
Attorney General
Attorneys for Utah Insurance Department
PO Box 140874
Salt Lake City, UT 84114
Telephone: 801-366-0375

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

UTAH INSURANCE DEPARTMENT, Complainant, v. FREDERICK HAWKES 5 Partridge Circle Hurricane, UT 84737 License # 301749 Respondent.	STIPULATION AND ORDER Docket No. 2016-019-BB Enf. Case No. 3732 Judge Gregory Soderberg, Esq. Administrative Law Judge
--	---

STIPULATION

The Utah Insurance Department ("Department"), by and through its legal counsel, and Frederick Hawkes ("Respondent"), hereby stipulate and agree as follows:

1. Respondent holds a Resident Limited Line Producer with the qualification of bail. Respondent's address is 5 Partridge Circle, Hurricane, Utah 84737. Respondent's License Number is 301749.
2. The Department has jurisdiction over the parties and subject matter of this administrative action.
3. Respondent acknowledges notice of agency action pursuant to Utah Code §

63G-4-201; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code Section 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent knows of his right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

5. This signed Stipulation, along with any Findings of Fact and Conclusions of Law, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

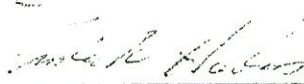
7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.


10. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

Dated this 8th day of March, 2016.



Frederick Hawkes


Dated this 9th day of March, 2016.



Gary D. Josephson, Assistant Attorney General
UTAH DEPARTMENT OF INSURANCE

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. Respondent holds a Resident Limited Line Individual Producer License with the qualification of bail.
2. Based on an investigation by the Department, it was determined that on September 30, 2015, Respondent allowed his individual license to lapse. At that time, Respondent's associations were automatically terminated on SIRCON.
3. On October 8, 2015, Respondent reinstated his license; however, his association to Rebel Bails Bonds was not updated.
4. Respondent continued to write bail on behalf of Rebel Bail Bonds during the time period his association was lapsed. From October 1, 2015, to January 21, 2016, Respondent wrote 47 bonds for Rebel Bail Bonds. The amount of premiums collected on those bonds totaled ~~\$164,050.00~~ ^{\$16,000.00}. 
5. The Department made an administrative forfeiture recommendation in the amount of \$1,000.00. On February 12, 2016, Respondent agreed to the recommended forfeiture

amount.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Utah Code Sections 31A-35-102 (2)(a) (ii)(b) and (c) defines a bail bond producer as one who is appointed by a bail bond surety.
2. Utah Code Sections 31A-23a-205 (2) and 31A-35-402 require that a bail bond producer must have an appointment to write bail bonds in this State.
3. Utah Administrative Rule R590-186-6 addresses licensure and renewal provisions for bail bond agents.
4. Respondent violated the above authorities when he allowed his license and appointment to lapse and, upon license reinstatement, failed to renew his appointment to Rebel Bail Bonds, all the while continuing to write bail.
5. Imposition of the forfeiture in the amount of \$1,000.00 is appropriate in this matter and under the circumstances.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER


IT IS HEREBY ORDERED:

1. Respondent Frederick Hawkes is hereby assessed an administrative forfeiture in

the amount of \$1,000.00 to be paid to the Department within 30 days of the date of this signed Order.

DATED this 10th day of March, 2016.

TODD E. KISER
Insurance Commissioner



GREGORY SODERBERG, ESQ.
Administrative Law Judge
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3800

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CERTIFICATE OF MAILING

The undersigned hereby certify that on this date, a true and correct copy of the STIULATION AND ORDER was mailed, postage prepaid, to the following:

Fredrick Hawkes
5 Partridge Circle
Hurricane, UT 84737

pricebailbonding@outlook.com

DATED this 10Th day March, 2016



LINDA HARDY
UTAH INSURANCE DEPARTMENT
STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UT 84114-6901

UTAH
Invoice - Original

FREDERICK HAWKES
5 PARTRIDGE CIRCLE
HURRICANE UT 84737

Printed Date: March 10, 2016
Invoice Date: March 10, 2016
Balance Due: \$1,000.00
Due Date: April 14, 2016
Invoice ID: 841636
Payor ID: 1376613

Date	Item Description	Amount	
03-10-2016	Bail Bond Forfeitures and Fines	\$1,000.00	E-Case 3732 Docket 2016-019 BB

No Adjustments

No Payments

Balance Amount Due \$1,000.00

UTAH
Invoice - Original

Make check payable to: Utah Insurance Department
Send payment to:
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901

Invoice Date: March 10, 2016
Balance Due: \$1,000.00
Due Date: April 14, 2016
Invoice ID: 841636
Payor ID: 1376613

E-Case 3732 Docket 2016-019 BB

Detach and Return this Voucher with Payment
Payments Will Not Be Processed without Voucher